

1 PATRICK D. ROBBINS (CABN 152288)
2 Attorney for the United States

3 THOMAS A. COLTHURST (CABN 99493)
4 Chief, Criminal Division

5 CHARLES F. BISESTO (CABN 271353)
6 Assistant United States Attorney

7 450 Golden Gate Avenue, Box 36055
8 San Francisco, California 94102-3495
9 Telephone: (415) 436-6405
10 FAX: (415) 436-7234
11 Charles.Bisesto@usdoj.gov

12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) NO. 3:22-CR-00390-RS
17 Plaintiff,) STIPULATION AND ORDER TO CONTINUE
18 v.) MATTER AND EXCLUDE TIME FROM
19 HEVER SUAREZ,) OCTOBER 10, 2023 TO NOVEMBER 21, 2023
20 Defendant.)
21)
22)
23)

24 It is hereby stipulated by and between counsel for the United States and counsel for the
25 defendant Hever Suarez, that the matter be continued to November 21, 2023 and time be excluded under
26 the Speedy Trial Act from October 10, 2023 through November 21, 2023.

27 A status hearing was last held in this case on August 22, 2023. *See* Dkt. 128. At that hearing,
28 the Court granted the parties' joint request to continue the matter to October 10, 2023. As the parties
discussed on the record, the August 22, 2023 status conference was undersigned defense counsel's first
appearance in district court on this matter as he recently took over as attorney of record for Mr. Suarez.
The government has recently finalized producing all of the discovery to defense counsel and provided a
draft plea agreement. As a result, defense counsel needs time to review all of the discovery, which is

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1 voluminous, and confer with Mr. Suarez about case outcomes.

2 For these reasons, the parties stipulate and agree that the currently set October 10, 2023 court
3 date will not be fruitful. The parties are therefore requesting the matter be continued to November 21,
4 2023 and time be excluded to November 21, 2023 to allow for the effective preparation of counsel. *See*
5 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by
6 excluding the time from October 10, 2023 through November 21, 2023, from computation under the
7 Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.
8 § 3161(h)(7)(A), (B)(iv).

9 The undersigned Assistant United States Attorney certifies that he has obtained approval from
10 counsel for the defendant to file this stipulation and proposed order.

11
12 IT IS SO STIPULATED.

13
14 DATED: October 4, 2023

15 _____/s/
CHARLIE BISESTO
Assistant United States Attorney

16 DATED: October 4, 2023

17 _____/s/
EDWIN PRATHER
Counsel for Defendant Hever Suarez

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28 STIPULATION AND ORDER TO CONTINUE HEARING AND EXCLUDE TIME FROM
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ORDER

2 Based upon the facts set forth in the stipulation of the parties, and for good cause shown, the
3 Court finds that failing to exclude the time from October 10, 2023, through November 21, 2023, would
4 unreasonably deny defense counsel and the defendant the reasonable time necessary for effective
5 preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The
6 Court further finds that the ends of justice served by excluding the time from October 10, 2023 to
7 November 21, 2023 from computation under the Speedy Trial Act outweigh the best interests of the
8 public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS
9 HEREBY ORDERED that the time from October 10, 2023 through November 21, 2023 shall be
10 excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv). IT IS
11 FURTHER ORDERED that the matter be continued to November 21, 2023 for a status conference.

IT IS SO ORDERED.

DATED: 10/4/2023


HON. RICHARD SEEBORG
United States Chief District Judge

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